

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
ANDRE M. DAVIS
UNITED STATES DISTRICT JUDGE

U.S. COURTHOUSE
101 W. LOMBARD STREET
BALTIMORE, MARYLAND 21201
(410) 962-0801
FAX (410) 962-0820
MDDAMDChambers@mdd.uscourts.gov

March 12, 2007

MEMORANDUM TO COUNSEL and MR. SEDA RE:

Seda v. Social Security Administration
Civil No. AMD 06-2799

Now pending in this pro se employment action is defendant's motion for summary judgment. Although he did not received the notice normally provided pursuant to *Roseboro v. Garrison*, 528 F.2d 309, 310 (4th Cir. 1975), plaintiff has filed a lengthy opposition to the motion in chambers which has been fully considered. No hearing is needed.

Plaintiff contends that he was terminated in retaliation for speech protected by the First Amendment. The record discloses no basis to credit this assertion. To the contrary, plaintiff was a problematic temporary employee of the agency, who was the subject of repeated complaints by clients and whose inappropriate behavior was observed by his superiors on several occasions. Despite progressive discipline by the agency, plaintiff did not conform his behavior to the legitimate expectations of his employer and was terminated in advance of the expected termination of his assignment.

Defendant is entitled to judgment as a matter of law. Accordingly, the motion for summary judgment shall be GRANTED. An Order follows.

Very truly yours,

/s/

Andre M. Davis
United States District Judge

AMD:tt